

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, } Case No.: SA 12-297M-1  
vs. } ORDER OF DETENTION  
Francisco Javier Najar Rodriguez, Defendant. }

I.

- A.  On motion of the Government in a case allegedly involving:
1.  a crime of violence.
  2.  an offense with maximum sentence of life imprisonment or death.
  3.  a narcotics or controlled substance offense with maximum sentence of ten or more years.
  4.  any felony - where defendant convicted of two or more prior offenses described above.
  5.  any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

III.

- 14 A.  The Court finds that no condition or combination of conditions will  
15 reasonably assure:

16     1.  the appearance of the defendant as required.  
17                    and/or

18     2.  the safety of any person or the community.

19 B.  The Court finds that the defendant has not rebutted by sufficient evidence to  
20 the contrary the presumption provided by statute.

III

23 The Court has considered:

- 24 A. (X) the nature and circumstances of the offense(s) charged, including whether  
25 the offense is a crime of violence, a Federal crime of terrorism, or involves  
26 a minor victim or a controlled substance, firearm, explosive, or destructive  
27 device;

28 B. (X) the weight of evidence against the defendant:

- 1 C. (X) the history and characteristics of the defendant; and  
2 D. (X) the nature and seriousness of the danger to any person or the community.

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5 IV.  
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9 The Court also has considered all the evidence adduced at the hearing and the  
10 arguments and/or statements of counsel, and the Pretrial Services  
11 Report/recommendation.

12  
13 V.  
14

15 The Court bases the foregoing finding(s) on the following:

- 16 A. (X) As to flight risk:

17 unknown background + bail resources

18 citizen of Mexico

19 no apparent ties to U.S.

- 20  
21 B. (X) As to danger:

22 alleged offense conduct

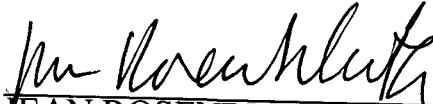
1 VI.  
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- 3 A. ( ) The Court finds that a serious risk exists the defendant will:  
4       1. ( ) obstruct or attempt to obstruct justice.  
5       2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.  
6 B. The Court bases the foregoing finding(s) on the following:  
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10 VII.  
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- 12 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.  
13 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the  
14 Attorney General for confinement in a corrections facility separate, to the extent  
15 practicable, from persons awaiting or serving sentences or being held in custody  
16 pending appeal.  
17 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity  
18 for private consultation with counsel.  
19 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on  
20 request of any attorney for the Government, the person in charge of the corrections  
21 facility in which defendant is confined deliver the defendant to a United States  
22 marshal for the purpose of an appearance in connection with a court proceeding.  
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24 DATED: 6/22/12

  
25 JEAN ROSENBLUTH  
U.S. MAGISTRATE JUDGE  
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